

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, and
STATE OF NEBRASKA,
Plaintiffs,

vs.

HENNINGSEN FOODS, INC.,
Defendant.

8:20-CV-269

MEMORANDUM AND ORDER

This matter is before the Court on the United States of America's Unopposed Motion to Enter Consent Decree ([Filing 4](#)). The United States and State of Nebraska ask the Court to adopt, sign, and enter the parties' stipulated Consent Decree ([Filing 2-1](#)) and related appendices ([Filing 2-2](#); [Filing 2-3](#); [Filing 2-4](#)).

“Consent decrees should: spring from—and serve to resolve—a dispute within the court’s subject-matter jurisdiction; come within the general scope of the case from the pleadings; and, further the objectives of the law on which the complaint was based.” *E.E.O.C. v. Prod. Fabricators, Inc.*, 666 F.3d 1170, 1172 (8th Cir. 2012) (citing *Local No. 93, Int’l Ass’n of Firefighters, AFL-CIO C.L.C. v. City of Cleveland*, 478 U.S. 501, 525, 106 S. Ct. 3063, 92 L. Ed. 2d 405 (1986)). “When reviewing a proposed consent decree, the trial court is to review the settlement for fairness, reasonableness, and adequacy.” *Id.* (quoting *United States v. Metro. St. Louis Sewer Dist. (MSD)*, 952 F.2d 1040, 1044 (8th Cir. 1992)).

Here, the Court has reviewed the proposed Consent Decree ([Filing 2-1](#)), along with the related appendices ([Filing 2-2](#); [Filing 2-3](#); [Filing 2-4](#)), and finds the Consent Decree to be fair, reasonable, and adequate in its resolution of the allegations raised in the Complaint ([Filing 1](#)) and its protection of federal interests. Thus,

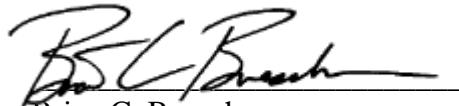
IT IS ORDERED:

1. Plaintiff United States of America's Unopposed Motion to Enter Consent Decree ([Filing 4](#)) is granted;

2. The Consent Decree, constituting a final judgment for the purposes of Fed. R. Civ. P. 54 and 58, will be separately entered on this date; and
3. The Clerk of the Court shall terminate this case for statistical purposes.

Dated this 19th day of August, 2020.

BY THE COURT:



Brian C. Buescher
United States District Judge